REMARKS

The claims have been amended to overcome the objections set forth on pages 2-4 of the Office Action. In addition, claim 24 has been amended to overcome the rejection based on 35 U.S.C. 112, paragraph 2, and for clarity.

To expedite prosecution, claims 20, 21 and 23 have been canceled.

To provide Applicants with the protection to which they are deemed entitled, claims 30-32 have been added. In new claim 30, the first PFET and first NFET respectively read on PFET 48 and NFET 50, the first inverter reads on inverter 20, the second inverter reads on inverter 22, the first capacitor reads on capacitor 32, the second capacitor reads on capacitor 34, the first path reads on path 28, the second path reads on path 30, the first resistive element reads on resistor 40 and the second resistive element reads on resistor 46, the first power supply terminal reads on terminal 16 and the second power supply terminal reads on terminal 18. There is no reference of record disclosing or making obvious the circuit of claim 30, upon which claims 31 and 32 depend.

Applicants note the indication of claims 12, 14, 16-18, 22, 25, 26 and 29 as containing allowable subject matter.

Applicants traverse the rejection of claims 1, 3, 7-11, 24, 27 and 28 as being obvious as a result of Hamasaki et al. (USP 5,694,065) in view of Love (USP 5,068,553). In connection with the rejection of claims 1, 3 and 27, the Office Action alleges it would have been obvious to one of ordinary skill in the art to have replaced capacitor Cn and/or Cp Hamasaki et al. with the NMOS capacitor of Love. The Office Action states such a substitution would have been obvious to one of ordinary skill in the art "for the purpose of

easily integrated the circuit (sic)." Applicants can not agree. Col. 5, lines 32-59 of Hamasaki et al. discusses the structure of capacitors Cn and Cp extensively. It is there indicated that if capacitor Cn and/or Cp has a low value, the parasitic capacitance of the wiring of resistor R is sufficient to provide a capacitor to meet the requirements of Cn and/or Cp. There is nothing that can be easier than using the parasitic capacitance of a resistor to provide the capacitance of an integrated circuit. If the parasitic capacitance of the wire resistance is insufficient, capacitance Cn and/or Cp of Hamasaki et al. is formed on the integrated circuit as a metal coating and a dielectric coating. In other words, Hamasaki et al. forms the structures of capacitors Cn and/or Cp in a way that is easily fabricated. There is no indication from the applied art that substituting the Love NMOS device for capacitor Cn and/or Cp would facilitate manufacture of the Hamasaki et al. integrated circuit.

The Examiner, in making this rejection, has cast about to find circuits that are similar to applicants' circuit and, through the use of hindsight, has combined the references. The Examiner's rationale for combining the references does not stand up to scrutiny of thorough consideration of the references.

In the rejection of claims 10 and 11, the Examiner admits Hamasaki et al. fails to disclose capacitor Cn comprising a field effect device having a conductivity type opposite to the conductivity type of the first transistor. There is nothing in the Office Action indicating this deficiency is obvious. Consequently, the Office Action fails to attempt to establish a prima facie case of obviousness with respect to claims 10 and 11.

The rejection of claim 24, based on Hamasaki et al. and Love is incorrect for the same reasons advanced *supra* with regards to claim 1. The same is true with regard to claim 27.

The Office Action fails adequately to consider the requirement of claim 1 for the capacitor to be connected across the gate electrode of one of said transistors and a first of the power supply terminals, wherein the first power supply terminal is connected for supplying current to the source drain path of the other of said transistors while the source drain path of the other said transistors is on and the requirement for the capacitor to comprise a field effect device having a conductivity type opposite to the conductivity type of said one of said transistors. In the Examiner's interpretation of Hamasaki et al., PFET 50 is the "first transistor" and the "one of said transistors," and ground is the first of the power supply terminals. The other of the transistors must therefore be interpreted as NFET 60. Consequently, capacitor Cn must be replaced by an NFET capacitor device that is connected to the gate of a PFET device of a driver circuit having separate inputs to the gates of the PFET and NFET devices. However, in Love, the gates of the PFET and NFET devices are connected to a common terminal. In other words, the portion of the Love circuitry including PFET 82 and NFET 84, that are driven in parallel by a single voltage at terminal 76, is entirely different from the configuration of Hamasaki et al., wherein PFET 50 and NFET 60 are separately driven by different inverters and low pass filter circuits. For this reason, one of ordinary skill in the art would not have looked to Love NFET 80 as a replacement for capacitor Cn of Hamasaki et al.

In view of the foregoing amendments and remarks, favorable reconsideration and allowance are in order.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-2025 and please credit any excess fees to such deposit account.

Respectfully submitted,
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